

WPSS 1973 of 05:

Hon'ble M.M.Ghildiyal, J.

Heard Sri S.S. Yadav. Learned counsel for the petitioner and Sri H.M. Raturi, learned Standing Counsel for the State of Uttarakhand/ respondents.

Sri Yadav, Adv. has submitted that he does not intend to press the relief no. "b" sought in the prayer clause and the same may be treated as deleted.

Permission is granted.

Let the relief no. 'b' be deleted.

The petitioner has confined his prayer only for quashing of orders dated 26.08.1999 and 01.01.2000 (contained as annexure nos. 3 and 3A to the writ petition), by which ceiling was imposed on the dearness allowance of the petitioner.

The controversy raised by means of this writ petition, has already been settled by Hon'ble the Division Bench of this Court in Special Appeal No. 66 of 2005 and twelve other Special Appeals decided on March 4, 2006. Counsel for the parties have submitted that the present writ petitioner may also be disposed of on the same terms and observations made in the aforesaid judgment.

Consequently, in view of the above statement, the present writ petition is also disposed of on the same terms and observations made by the Division Bench of this Court in Special Appeal no. 66 of 2005 (State of Uttaranchal and ors. Vs. Pushkar Bhatt and others) decided on 4th March 2006.

(M.M.G., J.)

11.04.2007:

NCM: